

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KEITH CAULEY, M.D., Ph.D,

Plaintiff,

v.

GEISINGER CLINIC,

Defendant.

No. 4:21-CV-00045

(Chief Judge Brann)

ORDER

JANUARY 27, 2022

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that Defendant Geisinger Clinic's Motion to Dismiss the
Second Amended Complaint (Doc. 24) is **GRANTED IN PART, DENIED IN
PART** as follows:

1. Geisinger's motion to dismiss Count II of the Second Amended Complaint (Promissory Estoppel) is **DENIED**.
2. Geisinger's motion to dismiss Count III of the Second Amended Complaint (Intentional Misrepresentation) is **GRANTED WITH PREJUDICE**.
3. Geisinger motion to dismiss Count IV of the Second Amended Complaint (Defamation) is **GRANTED WITHOUT PREJUDICE**.

If Plaintiff Keith Cauley, M.D., Ph.D., elects to plead over, he must file the amended complaint on or before February 17, 2022.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge